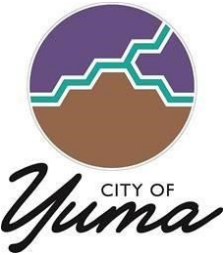


Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on October 10, 2022, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.

	<p style="text-align: center;">Agenda</p> <p style="text-align: center;">Planning and Zoning Commission Meeting City Hall Council Chambers One City Plaza Yuma, AZ Monday, October 10, 2022, 4:30 p.m.</p>
---	---

A. CALL TO ORDER

B. CONSENT CALENDAR – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

B.1 APPROVAL OF MINUTES –

September 12, 2022

B.2 WITHDRAWALS BY APPLICANT – NONE

B.3 TIME EXTENSIONS – NONE

B.4 CONTINUANCES – NONE

B.5 APPROVALS – NONE

C. ACTION ITEMS –

C.1 **CUP-40457-2022**: *This is a request by Jill Kaiser, on behalf of Circle K Stores INC, for a Conditional Use Permit to demolish and rebuild a convenience market/motor fuel sales in the General Commercial (B-2) District, on the property located at 2398 South Avenue B, Yuma, AZ.*

D. PUBLIC HEARINGS –

D.1 **GP-40072-2022**: *This is a Major General Plan Amendment request by Edward Matti on behalf of E.M. Capital Inc., to change the land use designation from Commercial to High Density Residential for approximately 9.2 acres, for the properties located at 6580 and 6620 E. 32nd Street.*

D.2 **ZONE-40002-2022**: *This is a request by The City of Yuma for a Subdivision Code Text Amendment to amend Title 15, Chapter 153 to update provisions related to the Subdivision Code.*

E. INFORMATION ITEMS

E.1 STAFF

E.2 COMMISSION

E.3 Public – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

ADJOURN

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

**Planning and Zoning Commission Meeting Minutes
September 12, 2022**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, September 12, 2022 at the Public Works Training Room, 155 W. 14th Street, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chairman Chris Hamel, Vice-Chairman Gregory Counts, and Commissioners Branden Freeman, Lorraine Arney, Joshua Scott, Barbara Beam and Ashlie Pendleton.

STAFF MEMBERS present included Alyssa Linville, Director of Planning and Neighborhood Services; Scott McCoy, Assistant City Attorney; Andrew McGarvie, Engineering Manager; Robert Blevins, Principal Planner; Jennifer Albers, Principal Planner; Amelia Griffin, Senior Planner; Erika Peterson, Associate Planner; Diego Arciniega, Assistant Planner; Alejandro Marquez, Administrative Specialist and Lizbeth Sanchez, Administrative Specialist.

Chairman Chris Hamel called the meeting to order at 4:30 p.m., and noted there was a quorum present.

CONSENT CALENDAR

MINUTES – August 22, 2022

WITHDRAWALS BY APPLICANT – None

CONTINUANCES – None

APPROVALS – None

Motion by Counts, second by Arney to APPROVE the Consent Calendar as presented. Motion carried unanimously, (7-0).

Action Items –

SUBD-40303-2022: *This is a request by Premier Storage Condominiums of Yuma Unit 2, LLC, for approval of the preliminary plat for the Premier Storage Condominiums of Yuma Unit 2 Subdivision, Phases IX thru XIV. This 13.65 acre commercial condominium subdivision is proposed to create 363 storage condominiums in six new buildings. The property is located at the southeast corner of Avenue 3 ¾ E and 32nd Street, Yuma, AZ.*

Amelia Griffin, Senior Planner; summarized the staff report and recommended **APPROVAL.**

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Beam, second by Freeman to APPROVE SUBD-40303-2022 as presented, subject to the Conditions of Approval in Attachment A. Motion carried unanimously, (7-0).

SUBD-40366-2022: *This is a request by Edais Engineering, on behalf of La Vida Seca, LLC, for approval of the final plat for the La Vida Subdivision. This subdivision will contain approximately 36.11 acres, and is proposed to be divided into 181 residential lots, ranging in size from 6,000 square feet to 10,838 square feet. The property is located near the northwest corner of Avenue 8E and 36th Street, Yuma, AZ.*

Robert Blevins, Principal Planner; summarized the staff report and recommended **APPROVAL.**

QUESTIONS FOR STAFF

Commissioner Freeman asked if there were any changes made to the Final Plat when compared to the Preliminary Plat. **Blevins** replied no.

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Arney, second by Beam to APPROVE SUBD-40366-2022 as presented, subject to the Conditions of Approval in Attachment A. Motion carried unanimously, (7-0).

Public Hearings –

GP-40072-2022: *This is a Major General Plan Amendment request by Edward Matti on behalf of E.M. Capital Inc., to change the land use designation from Commercial to High Density Residential for approximately 9.2 acres, for the properties located at 6580 and 6620 E. 32nd Street.*

Erika Peterson, Associate Planner; summarized the staff report.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Freeman, second by Counts to Close GP-40072-2022. Motion carried unanimously, (7-0).

INFORMATION ITEMS

Staff

None

Commission

Hamel congratulated Alyssa Linville on her promotion to Director of Planning and Neighborhood Services.

Public

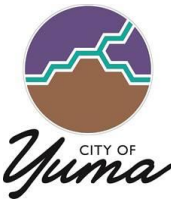
None

ADJOURNMENT

Hamel adjourned the meeting at 4:43 p.m.

Minutes approved this _____ day of _____, 2022

Chairman



STAFF REPORT TO THE PLANNING & ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – CONDITIONAL USE PERMIT
CASE PLANNER: CHAD BROWN

Hearing Date: October 10, 2022

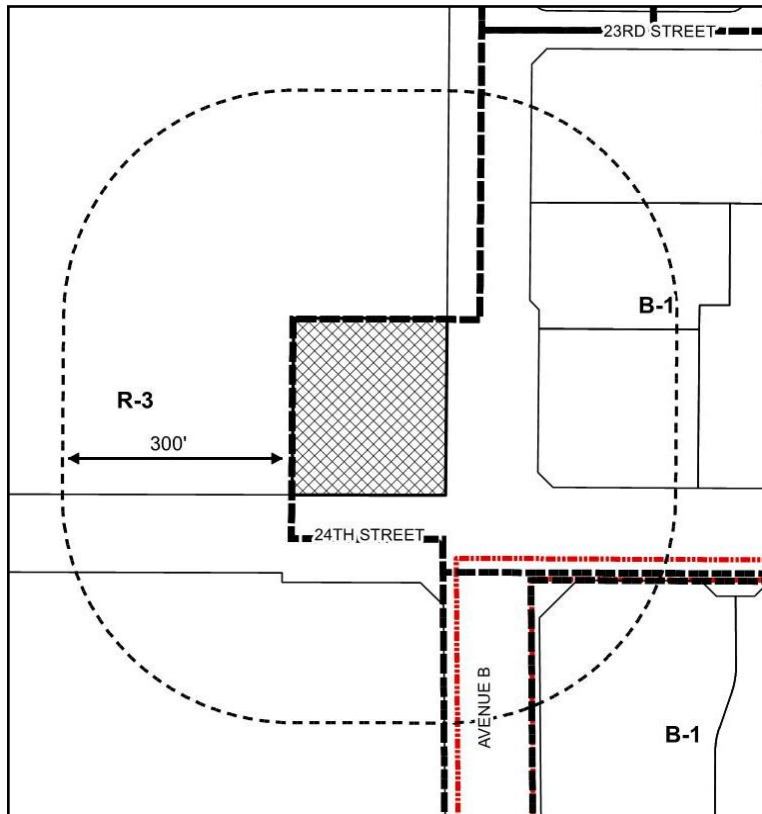
Case Number: CUP-40457-2022

Project Description/Location:

This is a request by Jill Kaiser, on behalf of Circle K Stores INC, for a Conditional Use Permit to demolish and rebuild a convenience market/motor fuel sales in the General Commercial (B-2) District, on the property located at 2398 South Avenue B, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Limited Commercial (B-1)	Circle K/L.A. Insurance/24 Karat jewelers	Mixed Use
North	High Density Residential (R-3)	Regency Square Apartments	High Density Residential
South	High Density Residential (R-3)	River Park Apartments	High Density Residential
East	Limited Commercial (B-1)	Speedway	Mixed Use
West	High Density Residential (R-3)	Regency Square Apartments	High Density Residential

Location Map:



Prior site actions: Annexation: January 19, 1977 (Ord. No. 1531); Rezone: September 23, 2022 (Ord. No. 2306).

Staff Recommendation: Staff recommends **APPROVAL** of the Conditional Use Permit to demolish and rebuild a convenience market/motor fuel sales with an exception to reduce the landscape and building setback from 20' to 3', and to reduce parking spaces required from 21 to 17 spaces in the General Commercial (B-2) District, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Conditional Use Permit CUP-40457-2022 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the Conditional Use Permit, the Planning and Zoning Commission is authorizing the request by Jill Kaiser, on behalf of Circle K Stores INC, for a conditional use permit to demolish and rebuild a convenience market/motor fuel sales with an exception to reduce the landscape and building setback from 20' to 3', and to reduce parking spaces required from 21 to 17 spaces for the property located at 2398 South Avenue B, subject to the conditions outlined in Attachment A, and affirmatively finds that the seven Conditional Use Permit criteria set forth in Section 154-03.05(G)(2) of the City of Yuma Zoning Code have been met.

Staff Analysis: The subject property is located at 2398 South Avenue B, in the Limited Commercial (B-1) District. This 46,593 square foot lot was annexed into the City of Yuma on January 19, 1977. The site features an open Circle K Convenience store, L.A. Insurance, and a vacant suite which was once occupied by 24 Karat Jewelers.

This Conditional Use Permit (CUP) request is to demolish and reestablish a gas station/convenience store, which requires a CUP in the General Commercial (B-2) District. The intent is to clear the entire site and rebuild a larger Circle K closer to the west property line, featuring new gas pumps with a new canopy. The convenience store will be 5,200 gross square feet, with an associated new gasoline fuel canopy that will increase the available fuel pumps from 2 to 5 pumps, offering 10 fueling dispensers. The other commercial suites are to be removed and the landscaping will be updated.

Based on the size of the building, a 20' landscaped buffer is required along the western property line, which is adjacent to a residentially zoned property. The current building location is in conformance with this setback requirement. In addition to the required setbacks, the project is required to provide 21 parking spaces based on the number of fuel pump and the square footage of the new retail space.

With the CUP application, the City has requested additional right-of-way along Avenue B. This dedication reduces the buildable area on the property, restricting the proposed development of the property to the point of creating a special circumstance. Based on this, the applicant has requested two exceptions from the zoning code: 1) to reduce the landscaping and western building setback from 20' to 3', 2) to reduce the number of parking spaces required from 21 to 17 spaces.

Exception Request and Analysis

The Planning & Zoning Commission may grant an exception to setbacks and required parking as a part of a CUP if the exception is supportable by the four findings of fact in §154-03.04(D)(1) of the Yuma City Code.

Exceptions– Reduce Required Parking and the Landscape Setback between zoning districts:

A. Are there special circumstances or conditions applying to the land, building, or use referred to in the application and which do not apply to other properties in the district?

Is this statement correct for this application?

☒ Yes

☐ No

Applicant Response: *“The property’s proximity to a heavily traveled intersection has created a special circumstance that is different from most properties in the area. To account for current and additional traffic demands along two heavily traveled roadways, Avenue B and 24th Street, the City has required an additional 18’ of right-of-way to be dedicated along Avenue B. The additional 18’ dedication compromises the available useable area on the site to accommodate the required 5’ setback to the western property line and 21 parking spaces.”*

Staff Analysis: The City is requesting additional right-of-way for potential roadway expansion in the future. This creates a special circumstance that other properties in the same zoning district and area are not currently facing. The reduced lot area creates a special circumstance for the subject property that would warrant a reduction in the landscape barrier between zoning districts and the required amount of parking. The impact from the reduced amount of parking would be negligible as the number of commercial uses on site is to be reduced and the amount of gas pump parking spaces is to be increased.

B. Were such special circumstances created by the owner or the applicant?

Is this statement correct for this application?

☒ Yes

☐ No

Applicant Response: *“The original site plan accounted for the required rear setback and parking space count. However, to account for current and future conditions along southbound Avenue B and westbound 24th Street, the City has required an additional 18’ right-of-way dedication from the eastern property line that abuts Avenue B. This additional dedication compromises the available area onsite to accommodate the setback and parking requirements.”*

Staff Analysis: The special circumstance was not created by the property owner, rather the need for more right-of-way from the City, which will result in a reduced buildable area.

C. Is the authorization of the Variance necessary for the preservation and enjoyment of substantial property rights?

Is this statement correct for this application?

☒ Yes

☐ No

Applicant Response: *“The granting of the variances is necessary for the preservation of adjoining properties given that the parcel is locked with established residential to the west and north and public streets to the east and west, the applicant is unable to acquire additional land necessary to accommodate the required setback and parking count.”*

Staff Analysis: The subject property requires the variance to increase the usability and ensure proper on-site traffic flow. The granting of the exception would allow the subject property to redevelop the site with a use similar to that which currently exists.

D. Will the authorizing of the application be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general?

Is this statement correct for this application?

☒ Yes

☐ No

Applicant Response: *“The granting of the variances will not be materially detrimental to adjacent property owners or neighborhoods. The site plan shows the rear of the building having a fire rated wall to account for the reduced setback to the adjacent residential property owners, offering an added layer of protection to the adjacent property owners. Additionally, the site plan provides for 17 parking spaces abutting the building’s entrances which offers a safe ingress and egress into the building. Although, 4 spaces less than the requirement, the applicant believes the reduction will not be detrimental to the adjacent property owners or neighborhoods.”*

Staff Analysis: The proposed exceptions will not be materially detrimental, and in fact they should increase the safety associated with the abutting high traffic roadways and internal traffic flow.

1. What are the impacts of the proposed conditional use on neighboring properties and what conditions are being proposed to resolve those impacts?

SPECIFIC IMPACT AREA		ISSUE	CONDITION #
A.	Traffic	N/A	N/A
B.	Parking	Proposed site plan provides in keeping with the proposed reduction.	N/A
C.	Lighting	The site will have to be designed with “dark sky” compatible down lighting with a maximum 3000 kelvin LED Lights.	#4
D.	Hours of Operation	24 hours a day.	#5
E.	Indoor/Outdoor Activities	N/A	N/A
F.	Noise	N/A	N/A
G.	Air Quality	N/A	N/A
H.	Hazardous Materials		N/A
I.	Crime Prevention (CPTED)	N/A	N/A
J.	Other	N/A	N/A

2. Does the site plan comply with the requirements of the zoning code?

Yes. The focus area identified within this CUP request meets the requirements of the code, if the exceptions are granted; including paved parking. Landscaping will be updated and parking stalls will be stripped.

3. Does the proposed use and site plan comply with Transportation Element requirements?

Yes.

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
South Avenue B – 4 Lane Minor Arterial	68 FT H/W ROW	50 FT H/W ROW				X
24 th Street – 4 Lane Minor Arterial	50 FT H/W ROW	50 FT H/W ROW				X
Bicycle Facilities Master Plan	N/A					
YCAT Transit System	Green Route 4/4A (24 th Street) and routes 4/4A (Avenue B).					
Issues:	N/A					

4. Does the proposed conditional use conform to all prior City Council actions for this site?

Yes.

5. Can the P&Z Commission answer the following questions affirmatively?

(1) Is the Planning and Zoning Commission, or the City Council, authorized under the zoning code to grant the conditional use permit described in the application?

Yes. The Planning and Zoning Commission has the authority to review and approve this request per section 154-8.04 (E)(4), in which a CUP is required for any retail motor fuel sales in the General Commercial (B-2) District.

(2) Will the establishment, maintenance, and/or operation of the requested conditional use, under the circumstances of the particular case, not be detrimental to the health, safety; peace, morals, comfort, or general welfare of persons residing, or working, in the vicinity or such proposed use, or be detrimental, or injurious, to the value of property in the vicinity, or to the general welfare of the city?

Yes. The proposed use will not be detrimental to the health, safety, and general welfare of persons residing, or working in the vicinity.

(3) Are the provisions for ingress, egress, and traffic circulation, and adjacent public streets adequate to meet the needs of the requested conditional use?

Yes. The site will utilize existing access along Avenue B and 24th Street.

(4) Are the provisions for building(s) and parking facility setbacks adequate to provide a transition from, and protection to, existing and contemplated residential development?

Yes. The property is considered to provide adequate transition. The subject property is adjacent to housing, however the proposed use is the same as the existing use and the

design will be similar—all activity and lighting is faced away from the residential uses, furthermore the residential apartment buildings are oriented in such a way as to reduce the impact of the proposed use.

(5) Are the height and bulk of the proposed buildings, and structures, compatible with the general character of development in the vicinity of the requested conditional use?

Yes. The bulk and height of the proposed buildings are consistent with the surrounding development.

(6) Have provisions been made to attenuate noise levels and provide for adequate site, and security lighting?

Yes. The site will provide the necessary means to meet requirements regarding noise level reduction and site lighting for security purposes.

(7) Has the site plan for the proposed conditional use, including, but not limited to landscaping, fencing, and screen walls and/or planting, CPTED strategies (Crime Prevention Through Environmental Design), and anti-graffiti strategies been adequately provided to achieve compatibility with adjoining areas?

Yes. The proposed use of the site includes proper screening and landscaping consistent with the Crime Prevention through Environmental Design (CPTED) principles for visual surveillance.

Public Comments Received: None Received.

Agency Comments: None Received.

Neighborhood Meeting Comments: See Attachment F.

Discussions with Applicant/Agent: September 19, 2022

Proposed conditions delivered to applicant on: September 15, 2022

Final staff report delivered to applicant on: October 4, 2022

- | | |
|--|---|
| <input checked="checked" type="checkbox"/> | Applicant agreed with all of the conditions of approval on: September 20, 2022 |
| <input type="checkbox"/> | Applicant did not agree with the following conditions of approval: (list #'s) |
| <input type="checkbox"/> | If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact. |

ATTACHMENTS:

A	B	C	D	E	F	G	H
Conditions of Approval	Site Plan	Site Photos	Agency Notifications	Neighborhood Meeting Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: *Chad Brown***Date:** 10/4/2022

Chad Brown

Associate Planner

Chad.Brown@yumaaz.gov (928) 373-5000 X 3038

Approved By: *Alyssa Linville***Date:** 09/29/2022

Alyssa Linville,

Director Community Planning

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions of approval are roughly proportionate to the impacts associated with the conditional use and expected development on the property.

**Department of Planning and Neighborhood Services Comments: Alyssa Linville,
Director (928) 373-5000, x 3037:**

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Engineering: Andrew McGarvie, (928) 373-5000 X 3044:

4. The Owner/Developer shall dedicate to the City of Yuma by Warranty Deed, right-of-way along the Avenue B frontage such that the City obtains a total half width right-of-way 68 feet along the property frontage.
5. The Owner/Developer shall dedicate to the City of Yuma by Warranty Deed, right-of-way along the 24th Street frontage, such that the City obtains a total North half right-of-way of 61 feet along the property frontage for a distance of 160 feet measured from the new r-o-w line along the west side of Ave B, thence dropping to a north half width of 56 feet for the remainder of the frontage extending to the west.
6. The Owner/Developer shall dedicate to the City of Yuma by Warranty Deed, a corner triangle at the northwest corner of Avenue B, thence dropping to a north half width of 56 feet for the remainder of the frontage extending to the west.
7. The Owner/Developer shall provide onsite storm water retention for the entire site at the time of redevelopment.

Community Planning: Chad Brown, Associate Planner, (928) 373-5000 X 3038

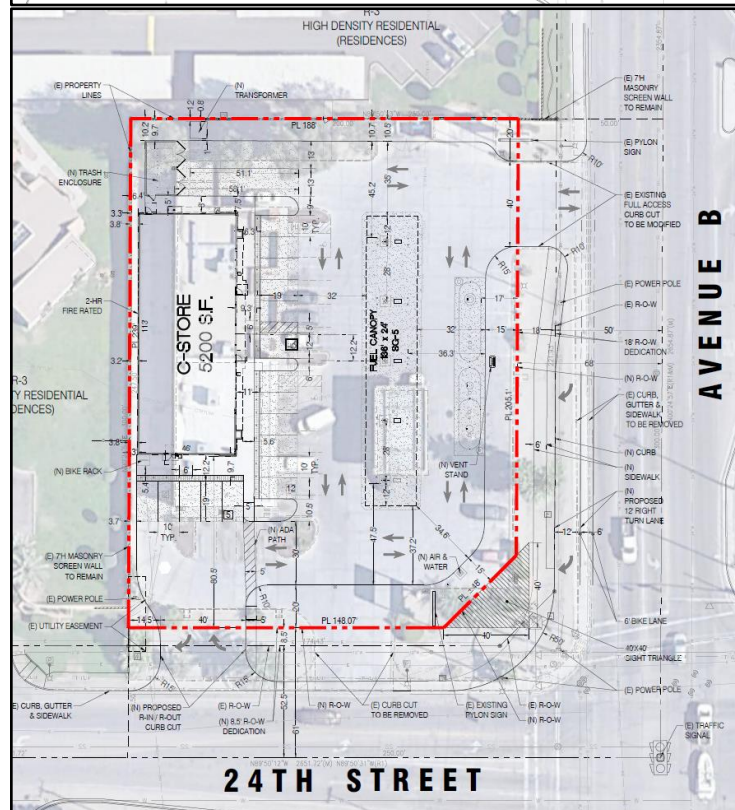
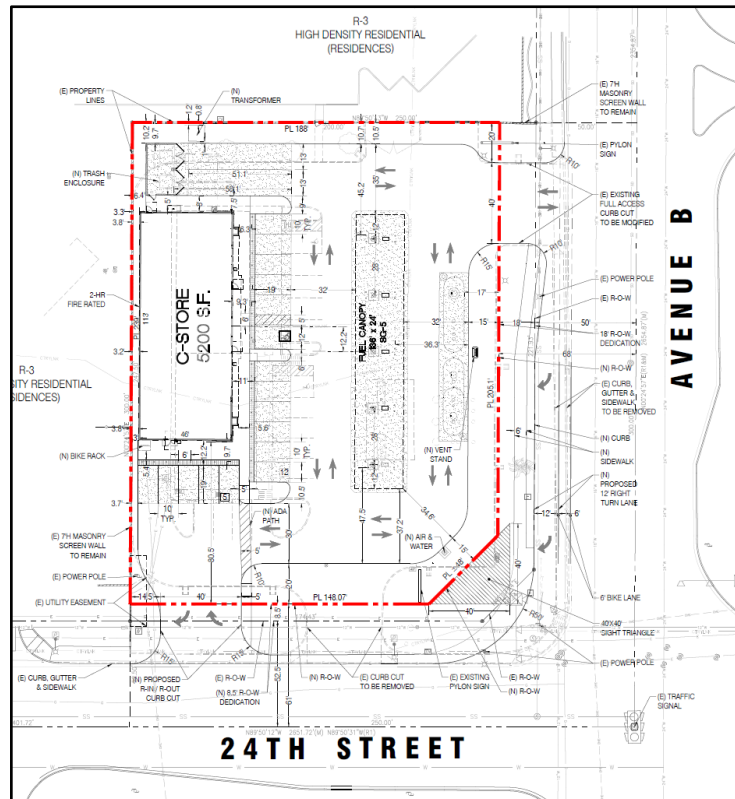
8. The site will have to be designed with "dark sky" compatible down lighting with a maximum 3000 kelvin LED Lights.
9. Any substantial modification to the overall site design as represented on the site plan will require a public hearing and be subject to the approval of the Planning and Zoning Commission. A substantial modification to the site plan would include, but not necessarily be limited to, the relocation of vehicular access, the modification of storm water retention or the relocation of a building or structure.
10. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Conditional Use Permit or prior to the issuance of any Building Permit,

Certificate of Occupancy or City of Yuma Business License for this property. In the event that the conditions are not completed within this time frame, the Conditional Use Permit shall be null and void.

11. In any case where a Conditional Use Permit has not been used within one year after the granting thereof, it shall be null and void.
12. Prior to the expiration date of the Conditional Use Permit, the applicant has the option to file for a one-year time extension.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B SITE PLAN



ATTACHMENT C
SITE PHOTOS



ATTACHMENT D
AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** (9/16/22)
- **300' Vicinity Mailing:** (8/22/22)
- **34 Commenting/Reviewing Agencies noticed:** (8/25/22)
- **Site Posted on:** (8/24/22)
- **Neighborhood Meeting:** (8/21/22)
- **Hearing Date:** (10/10/22)
- **Comments due:** (9/6/22)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	8/25/22	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	8/25/22	X		
Yuma County Planning & Zoning	YES	8/29/22	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	8/24/22	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	8/24/22	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	8/24/22	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT E
NEIGHBORHOOD MEETING COMMENTS

Date Held: August 8, 2022.

Location: Subject property; 2398 South
Avenue B

Attendees: Chad Brown; City of Yuma, Jill Kaiser; agent.

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- DISCUSSED THE CUP PROCESS.
- AGENT STATED CIRCLE K IS REGULARLY UPDATING STORES AND THE CRITERIA FOR REMODEL COULD BE AGE OF BUILDING OR ADVANCEMENTS IN TECHNOLOGY, OR ANY NUMBER OF REASONS.
- AGENT STATED NEW GAS TANKS AND NEW GAS PUMPS WOULD BE A KEY PART OF THE NEW DESIGN.

ATTACHMENT F
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code
ZEE PROPERTIES LLC	PO BOX 3839	KINGMAN
PARK PALOMA LLC	PO BOX 1159	DEERFIELD
ARTHUR BRUCE SIMON CA LLC	13437 CONTOUR DR	SHERMAN OAKS
RIVER PARK OWNER LLC	645 E MISSOURI AVE SUITE 170	PHOENIX
AZ REGENCY SQUARE 1 LLC	1240 E 2100 S SUITE 300	SALT LAKE CITY
CIRCLE K STORES INC TX CORP	PO BOX 52085	PHOENIX
YUMA 2381 LLC	3805 E LAS CRUCES LN	YUMA

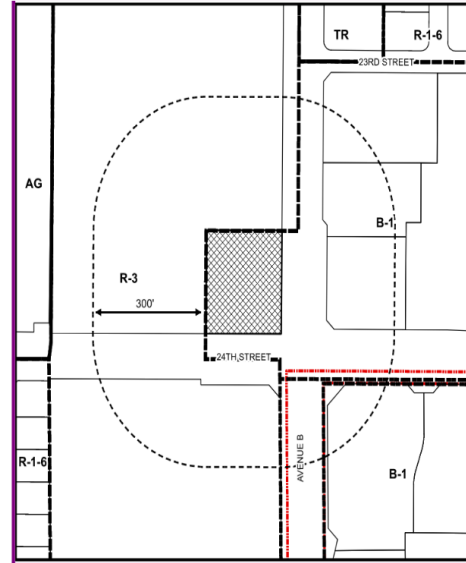
ATTACHMENT G
NEIGHBOR MAILING

This is a request by Jill Kaiser, on behalf of Circle K Stores INC, for a Conditional Use Permit to demolish and rebuild a convenience market/motor fuel sales in the General Commercial (B-2) District, on the property located at 2398 South Avenue B, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
CUP-40457-2022**

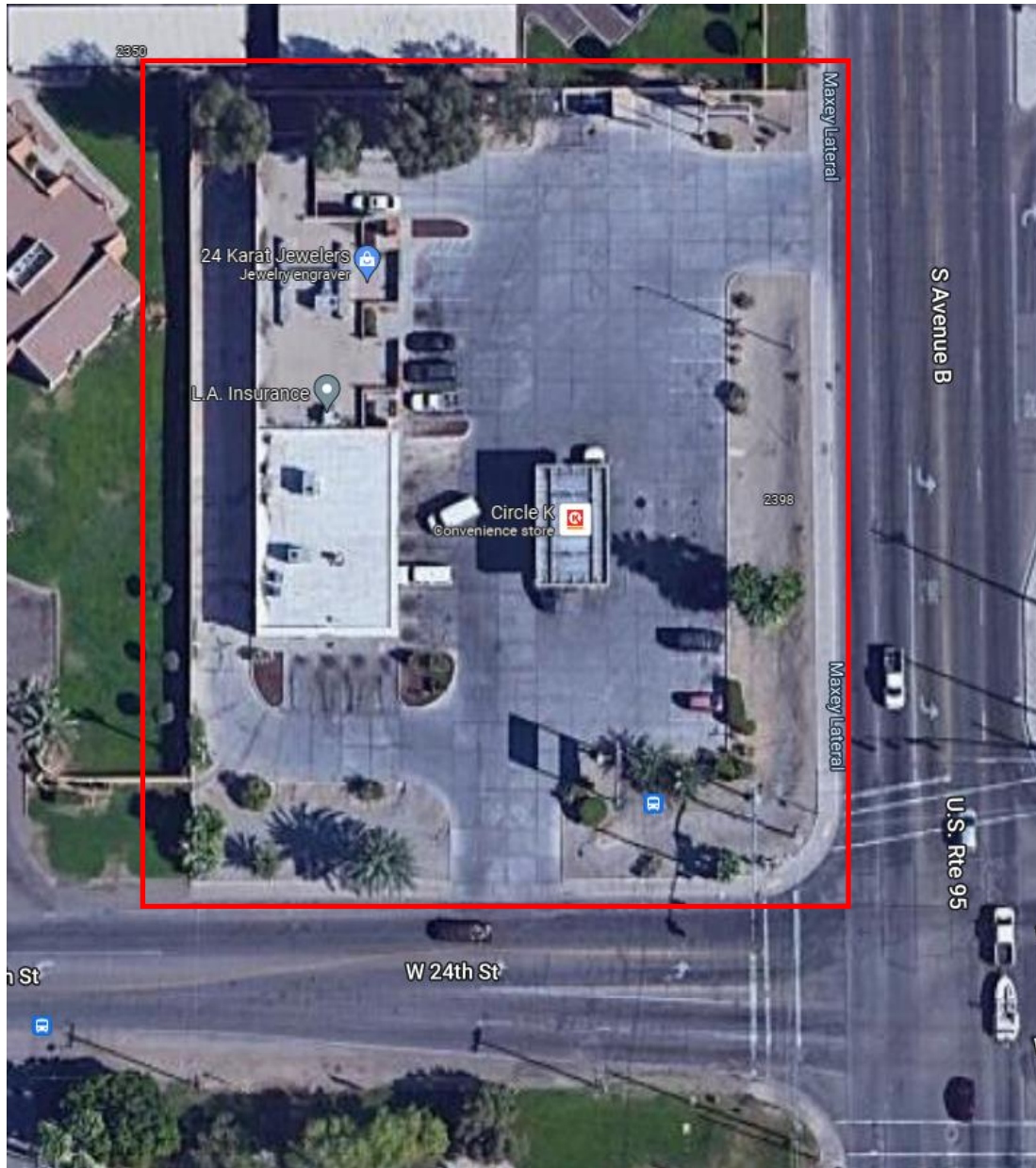
NEIGHBORHOOD MEETING
8/31/2022 @ 5:00PM ON-SITE

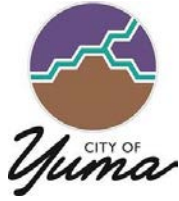
PUBLIC HEARING
10/10/22 @ 4:30pm
City Hall Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of the property located on 2398 South Avenue B, Yuma, AZ you are invited to attend the Neighborhood Meeting and the Public Hearing to voice your comments. If you have questions or wish to submit written comments, please contact Chad Brown by phone at (928) 373-5000 ext. 3038 or by email at Chad.Brown@YumaAz.gov

ATTACHMENT H
AERIAL PHOTO





**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING
CASE TYPE – GENERAL PLAN AMENDMENT
Case Planner: Erika Peterson**

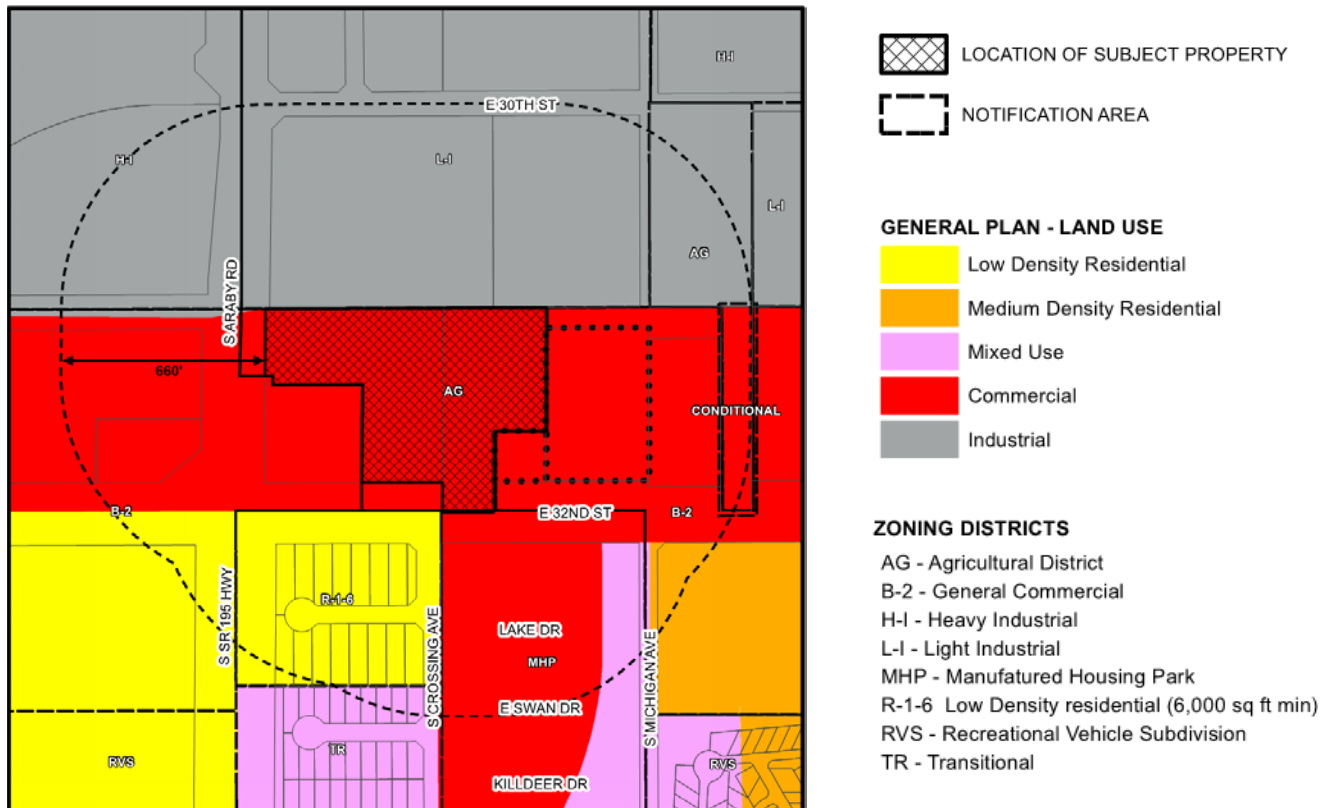
Hearing Date: October 10, 2022

Case Number: GP-40072-2022

Project Description/Location: This is a Major General Plan Amendment request by Edward Matti on behalf of E.M. Capital Inc., to change the land use designation from Commercial to High Density Residential for approximately 9.2 acres, for the properties located at 6580 and 6620 E. 32nd Street.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	RV and Mobile Home Park	Commercial
North	Light Industrial (L-I)	Tractor Dealer	Industrial
South	Low Density Residential/Manufactured Home Park/General Commercial (R-1-6/MHP/B-2)	Single-family homes/Manufactured Home Park/Auto Sales	Low Density Residential/Mixed Use/Commercial
East	General Commercial (B-2)	Self-Storage Facility	Commercial
West	General Commercial (B-2)	Gas Station/Undeveloped	Commercial

Location Map



Public Comment September 12, 2022 Public Hearing: None

Prior site actions: Annexation Ordinance O99-29, July 3, 1999

Staff Recommendation: Staff recommends the Planning and Zoning Commission APPROVE the request to change the land use designation for approximately 9.2 acres from Commercial to High Density Residential.

Suggested Motion: Move to APPROVE the request to change the land use designation for 9.2 acres from Commercial to High Density Residential.

Staff Analysis: This is a Major General Plan Amendment request by Edward Matti on behalf of E.M. Capital Inc., to change the land use designation from Commercial to High Density Residential for approximately 9.2 acres, for the properties located at 6580 and 6620 E. 32nd Street.

The existing Commercial land use designation supports the following types of zoning: Transitional (TR), Old Town (OT), Planned Shopping Center (PSC), Limited Commercial (B-1), General Commercial (B-2), and Business Park (BP) districts.

The proposed High Density Residential land use designation supports the following types of zoning: High Density Residential (R-3), Residence-Manufactured Housing (R-MH), Recreational Vehicle Subdivision (RVS), and Manufactured Home Park (MHP) districts.

The proposed land use designation would allow the applicant to pursue a rezoning that would support the existing RV and Mobile Home Park use.

Density

The current land use designation of Commercial would allow the existing non-conforming RV and Mobile Home Park of 116 spaces to continue.

The proposed High Density Residential land use designation would allow from 120 to 166 dwelling units.

Population

Information from the 2016-2020 American Community Survey provides data on population by housing unit type. The information results in an average household size for RV/Mobile homes of 1.8 persons per dwelling in the City of Yuma. Comparing the densities allowed within the General Plan, the potential persons expected are:

- Commercial:
Existing 116 spaces – Expected population: 209
- High Density Residential:
Minimum 120 homes – Expected population: 216
Maximum 166 homes – Expected population: 299

The 2010 Census identified that 20% of the population within the City of Yuma was between 5 and 17 years of age. Therefore, the expected school-age population is estimated at:

- Commercial:
Expected population: 209 – School Age: 42
- High Density Residential:
Minimum expected population: 216 – School Age: 43

Maximum expected population: 299 – School Age: 60

Transportation

The property is located north of 32nd Street. Roadways to and from the site are existing and fully developed. Access to the property will be from 32nd Street, a Principal Arterial, with connections to Araby Road and SR-195 Highway to the west, and Avenue 7E to the east.

According to the City of Yuma Transportation Master Plan, 32nd Street operates at a Level of Service (LOS) of C or above, meaning that there are stable conditions with movements somewhat restricted due to higher volumes but not objectionable to motorists. The Yuma Metropolitan Planning Organization identifies average annual daily traffic counts for 2021 as 18,605 vehicles on 32nd Street near the Araby Road intersection. 32nd Street is currently a 4-lane roadway and is identified in the Transportation Master Plan as a Principal Arterial.

Housing

The Housing Element of the City of Yuma 2012 General Plan addresses the need to provide safe, decent, sanitary, and affordable housing for all residents. And specifically Objective 1.3 notes providing a variety of housing types:

Objective 1.3: Encourage a variety of housing types to meet all socioeconomic segments of the population, considering both full time and seasonal residents.

An Action Item of the Housing Element is to consider rezoning land for higher density residential development to promote additional rental and lower cost ownership options.

The General Plan amendment request is to provide a housing choice other than Low Density Residential single-family homes, which is the predominant housing option in the City of Yuma.

Public Services

It is a requirement of State Statute for a General Plan to identify public schools and other public buildings. The City of Yuma General Plan Public Services Element identifies the location of public/charter schools within the 3 school districts in the General Plan area. The request is located within the district boundaries of the Yuma Elementary School District One and the Yuma Union High School District.

According to the Yuma Elementary School District One Boundary Map, the elementary students in the subject area are within the boundary of Desert Mesa Elementary School located at 2350 S. Avenue 7 ½ E. Junior high school students are within the boundary of Castle Dome Middle School at 2353 S. Otondo Drive.

According to the Yuma Union High School District, the high school students are within the boundary of Gila Ridge High School located at 7150 E. 24th Street.

1. Does the proposed amendment impact any elements of the General Plan?

No The elements of the General Plan will not be impacted by the proposed amendment.

Transportation Element:

FACILITY PLANS

Transportation Master Plan	Planned	Existing
32 nd Street - Principal Arterial	80 Foot HW	100 Foot HW
Median Disclosure	Required	

2. Does the proposed amendment impact any of the facility plans?

No The change in land use will not significantly impact any of the facilities plans.

3. Is the proposed amendment in conflict with Council's prior actions?

No No prior Council actions have occurred for this site.

Scheduled Public Hearings:

<input checked="" type="checkbox"/>	City of Yuma Planning and Zoning Commission: September 12, 2022
<input checked="" type="checkbox"/>	City of Yuma Planning and Zoning Commission: October 10, 2022
<input type="checkbox"/>	City of Yuma City Council: November 16, 2022

Public Comments Received:

None Received

Agency Comments:

See Attachment A

Neighborhood Meeting Comments:

None Received

Final staff report delivered to applicant on: 9/28/2022

<input type="checkbox"/>	Applicant agreed with staff's recommendation:
<input type="checkbox"/>	Applicant did not agree with staff's recommendation:
<input checked="" type="checkbox"/>	If the Planner is unable to make contact with the applicant – The report has been emailed to applicant and a response has not been received.

Attachments

A	B	C	D
Agency Comments	Staff Worksheet	Neighbor Notification List	Aerial Photo

Prepared By:

Erika Peterson

Date:

9/28/2022

Erika Peterson
Associate Planner

Erika.Peterson@YumaAZ.Gov (928)373-5000, x3071

Reviewed By:

Jennifer L. Albers

Date:

9/28/22

Jennifer L. Albers, AICP
Principal Planner

Approved By:

Alyssa Linville

Date:

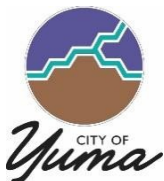
09/2/2022

Alyssa Linville,
Assistant Director Community Development

ATTACHMENT A
AGENCY COMMENTS

DATE:	6/28/2022	NAME:	Isabell Garcia	TITLE:	Development TES
AGENCY:	ADOT Southwest District			PHONE:	(928)317-2159
<i>Enter comments below:</i>					
At the appropriate time in the process, the ADOT Southwest District would like the opportunity to review and comment on a Traffic Impact Analysis (TIA). Thank you.					

**ATTACHMENT B
STAFF WORKSHEET**

	STAFF RESEARCH – GENERAL PLAN AMENDMENT CASE #: GP-40072-2022 CASE PLANNER: ERIKA PETERSON
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I. PROJECT DATA

Project Location:		6580 & 6620 E. 32 nd Street												
Parcel Number(s):		698-27-004, 698-27-005												
Parcel Size(s):		9.2 acres												
Total Acreage:		9.2												
Proposed Dwelling Units:		Maximum:		166		Minimum:		120						
Address:		6580 & 6620 E. 32 nd Street												
Applicant:		E.M. Capital, Inc.												
Applicant's Agent:		Edward Matti												
Land Use Conformity Matrix:		Current Zoning District Conforms:								Yes		No	X	
Zoning Overlay:	Public		AO		Auto		B&B		Historic		None	X		
	Airport	Noise Contours	65-70		70-75		75+		APZ1		APZ2		CLEAR ZONE	
	Existing Zoning				Current Use				General Plan Designation					
Site	Agriculture (AG)				RV and Mobile Home Park				Commercial					
North	Light Industrial (L-I)				Tractor Dealer				Industrial					
South	Low Density Residential/Manufactured Home Park/General Commercial (R-1-6/MHP/B-2)				Single-family homes/Manufactured Home Park/Auto Sales				Low Density Residential/Mixed Use/Commercial					
East	General Commercial (B-2)				Self-Storage Facility				Commercial					
West	General Commercial (B-2)				Gas Station/Undeveloped				Commercial					
Prior Cases or Related Actions:														
<u>Type</u>		<u>Conforms</u>				<u>Cases, Actions or Agreements</u>								
Pre-Annexation Agreement		Yes		No		N/A								
Annexation		Yes		No		O99-29 adopted 7-3-1999								
General Plan Amendment		Yes		No		N/A								
Development Agreement		Yes		No		N/A								
Rezone		Yes		No		N/A								
Subdivision		Yes		No		N/A								
Conditional Use Permit		Yes		No		N/A								
Pre-Development Meeting		Yes	X	No		Date: 10/5/2021								
Enforcement Actions		Yes		No		N/A								
Land Division Status:		Legal lot of record (entire parcel)												
Irrigation District:		YMIDD												
Adjacent Irrigation Canals & Drains:		B Canal												
Water Conversion: (5.83 ac ft/acre)		53.630 Acre Feet a Year												
Water Conversion Agreement Required		Yes		No	X									

II. CITY OF YUMA GENERAL PLAN

Land Use Element:

Land Use Designation:		Commercial										
Noise Contour:		N/A		Overlay/Specific Area:			N/A					
Issues:												
Historic District:	Brinley Avenue		Century Heights				Main Street			None	X	
Historic Buildings on Site:	Yes			No	X							

Transportation Element:

FACILITY PLANS

Transportation Master Plan				Planned				Existing			
32 nd Street – Principal Arterial				80 Foot HW				100 Foot HW			
Median Covenant				Required							
Gateway Route			Scenic Route			Hazardous Cargo Route			Truck Route		X
Bicycle Facilities Master Plan				32 nd Street Bike Path							
YCAT Transit System				Orange Route 2							
Issues:											

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan			
Neighborhood Park:	Existing: Terraces Park	Future: Terraces Park	
Community Park:	Existing: Smucker Memorial Park	Future: South Mesa Community Park	
Linear Park:	Existing: East Main Canal Linear Park	Future: B Canal	
Issues:			

Housing Element:

Special Need Household:	N/A									
Issues:										

Redevelopment Element:

Planned Redevelopment Area:	N/A									
Adopted Redevelopment Plan:	North End:			Carver Park:			None:	X		
Conforms:	Yes		No		N/A					

Conservation, Energy & Environmental Element:

Impact on Air or Water Resources	Yes		No	X						
Renewable Energy Source	Yes		No	X						

Public Services Element:

<u>Population Impacts</u> Population projection per 2016-2020 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Demand-2020 Conservation Plan 207 gallons per day per person; Wastewater generation: 70 gallons per day per person	Dwellings & Type				Projected Population	Police Impact	Water Consumption		Wastewater Generation
	<i>RV/Mobile</i>								
	Maximum	Per Unit				Officers	GPD	AF	GPD
	166	1.8			299	0.56	61,852	69.3	20,916
	Minimum								
	120	1.8			216	0.41	44,712	50.1	15,120
Fire Facilities Plan:		Existing: Fire Station No. 5					Future: Yuma Fire Station No. 7		
Water Facility Plan:		Source:	City	X	Private		Connection:		32 nd Street- 8" PVC
Sewer Facility Plan:		Treatment:	City		Septic	X	Private		
Issues:		Utility extensions required to the site, currently on septic system.							

Safety Element:

Flood Plain Designation:	500 Year Flood Zone	Liquefaction Hazard Area:	Yes		No	X	
Issues:							

Growth Area Element:

Growth Area:	Araby Rd & Interstate 8		X	Arizona Ave & 16 th St			Avenue B & 32 nd St.			
	North End		Pacific Ave & 8 th St			Estancia		None		
Issues:										

NOTIFICATION

- Legal Ad Published: The Sun 8/27/2022
- Display Ad Published: 8/27/22
- 660' Vicinity Mailing: 6/28/21
- 54 Commenting/Reviewing Agencies noticed: 6/22/22
- Site Posted: 7/18/2022
- Neighborhood Meeting: 7/26/2022
- Hearing Dates: 9/12/22 & 10/10/22
- Comments Due: 8/23/22

External List	Response Received	Date Received	"No Comment"	Written Comments
Yuma Metropolitan Planning Organization	NR			
(ARS) Yuma County Engineering	NR			
Yuma County Flood Control District	NR			
Yuma County Planning & Zoning (ARS)	NR			
Yuma County Public Works	NR			
Yuma County Airport Authority	YES	6/27/2022	X	
Yuma County Chamber of Commerce	NR			
Greater Yuma Econ. Development Corp.	NR			
Yuma County School Superintendent	NR			
YUHS District #70 (ARS)	NR			
Yuma Elementary School District #1 (ARS)	NR			
Crane School District #13 (ARS)	NR			
City of San Luis (ARS)	NR			
City of Somerton (ARS)	NR			
Imperial County, California (ARS)	NR			
Qwest Communications (ARS)	NR			
Arizona Public Service (ARS)	NR			
Time Warner Cable (ARS)	NR			
Southwest Gas (ARS)	NR			
Arizona Department of Transportation	YES	6/28/2022		X
Arizona Fish & Game Dept.	NR			
Arizona Department of Commerce (ARS)	NR			
Arizona State Attorney General (ARS)	NR			
Arizona Dept. of Water Resources (ARS)	NR			
Arizona State Land Department (ARS)	YES	6/23/2022	X	
MCAS / C P & L Office (ARS)	NR			
USDA – NRCS	NR			
Bureau of Land Management (ARS)	NR			
US Border Patrol	NR			
US Postal Service	NR			
Quechan Tribal Office	NR			
Cocopah Indian Tribe	NR			
Yuma County Water Users Association	YES	6/24/2022	X	
Yuma Irrigation District	NR			
Yuma Mesa Irrigation Drainage District	NR			
Unit B Irrigation District	NR			
Yuma County Association of Realtor's	NR			
Yuma County Contractor's Association	NR			
AZ Society of Military Engineers (ASME)	NR			
AZ Society of Civil Engineers (ASCE)	NR			

AZ Society of Professional Engineers (ASPE)	NR			
El Paso Natural Gas Co.	NR			
Western Area Power Administration	YES	7/6/2022	X	
USAG Yuma Proving Ground	YES	6/23/2022	X	

City of Yuma Internal List	Response Received	Date Received	“No Comment”	Written Comments
Susan Smith, Police	NR			
Rod Hamilton, Police	NR			
Parks and Rec – Admin	NR			
City Engineer	NR			
Traffic Engineer	NR			
Andrew McGarvie, Engineering	NR			
Kayla Holiman, Fire – Prevention	NR			
Randal Crist, DCD – Building Safety	NR			
Jeremiah McCall, Utilities	NR			
Joel Olea, Public Works	NR			
NR=None Received	NR			

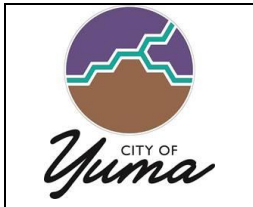
Neighborhood Meeting	Comments Available
7/26/2022	None received.
Prop. 207 Waiver	
Received by Owner’s signature on the application for this land use action request.	

ATTACHMENT C
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code	
WUERTEMBURG CHASE C & KELSIE	6529 E 32ND LN	YUMA	AZ
PLESICH BRIAN & BEATRIZ	6536 E 32ND LN	YUMA	AZ
SHRIVER BRYAN S & SARAHI	6560 E 32ND LN	YUMA	CA
CARRAZCO JUAN	6570 E 33RD ST	YUMA	AZ
NELSON BLAKE G	6546 E 33RD ST	YUMA	AZ
P AND R ALMOND ORCHARDS INC ET AL	PO BOX 6407	YUMA	AZ
TONY PLAZA REAL ESTATE AZ LLC	1012 BARDEAUX OAKS	YUMA	AZ
FLEMING JOHN D & LISA A JT	3717 LAS CRUCES LN	YUMA	AZ
BOOTH D P & C A LIVING TRUST 11-25- 97	6086 E MORNING LN	YUMA	AZ
VISTA FARMS AZ LLC	13228 S AVENUE 4E	YUMA	AZ
ACOSTA EDIMELEC & JANE P FLORES	6521 E 32ND LN	YUMA	AZ
HERNANDEZ HECTOR I	6544 E 32ND LN	YUMA	AZ
SANDOVAL ROBERTO	6586 E 33RD ST	YUMA	AZ
GONZALEZ MICHAEL R & BETTINA	6554 E 33RD ST	YUMA	AZ
SALCIDO ANDRES	6576 E 32ND LN	YUMA	AZ
TPC PROPERTIES LLC	1818 GRAND CANAL BVLD STE 4	STOCKTON	CA
CIRCLE K CONVENIENCE STORES INC TX CORP	PO BOX 52085	PHOENIX	AZ
TANIMURA & ANTLE PARTNERSHIP	PO BOX 4070	SALINAS	CA
PALMS RV RESORT DEV INC AZ CORP	3400 S AVENUE 7E	YUMA	AZ
SOLAR STORAGE LLC	3967 E 41ST PL	YUMA	AZ
ELLIOTT CONSTRUCTION INC AZ CORP	340 PALLADIO PKWY STE 52	FOLSOM	CA
GUERRERO LAZARO F & DEBORAH F	6552 E 32ND LN	YUMA	AZ
WILLIAMS CLAYTON	6578 E 33RD ST	YUMA	AZ
GONZALEZ MICHAEL R & BETTINA	6554 E 33RD ST	YUMA	AZ
YEE-CHAN DEBRA ET AL	2198 GRANITE DR	ALAMO	CA
E M CAPITAL INC	6580 E 32ND ST	YUMA	AZ
ACOSTA DAVID M	6740 E 32ND ST	YUMA	AZ
M & S INVESTMENTS AZ LLC	1851 W 24TH ST STE 201	YUMA	AZ
MHC ARABY ACRES DA LLC	917 W WASHINGTON MS 316	CHICAGO	IL
YUMA CITY OF	ONE CITY PLAZA	YUMA	AZ
CORNEJO HENRY JR & CLAUDIA	6585 E 32ND LN	YUMA	AZ
OCHOA NICHOLAS & MARGARITA JT	14111 EL DOLORA WY	POWAY	CA
JASSO ROSALIE	6577 E 32ND LN	YUMA	AZ
CHAVEZ ALEXANDER JOSEPH & SARAH JESSICA	6545 E 32ND LN	YUMA	AZ
SUMMERS RICHARD M JR	6561 E 32ND LN	YUMA	AZ
WUERTEMBURG PHIL J & GABRIELE SUE	6537 E 32ND LN	YUMA	AZ

ATTACHMENT D
Aerial Photo





STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: ALYSSA LINVILLE

Hearing Date October 10, 2022

Case Number: ZONE-40002-2022

Project Description: This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 153 to update provisions related to the Subdivision Code.

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to Title 15, Chapter 153 to update provisions related to the Subdivision Code.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-40002-2022 as presented in the staff report.

Effect of the Approval: By approving the text amendment, the Planning and Zoning Commission is recommending approval to City Council for the request to amend Title 15, Chapter 153 to update provisions related to the Subdivision Code.

Staff Analysis: The original subdivision code for the City of Yuma was established in 1966. Since its original adoption, various updates to the subdivision code have been completed throughout the years. The intent of this proposed amendment includes updating certain definitions, updating reference to the correct approving position, ensuring accurate reference to development standards and streamlining the overall submittal process.

Below is a more detailed description of each proposed amendment:

1. **Definitions:** Definitions will be updated to remove unnecessary terms and/or replace them with modern terminology;
2. **Approving position:** Currently, the code references the ability for the Planning and Zoning Commission to approve modifications to the traffic circulation within a subdivision. This amendment will place this approval authority under the authority of the City Engineer;
3. **Roadway widths:** This amendment will remove the existing reference to outdated roadway widths and will in turn reference standard construction drawings and the Transportation Element of the General Plan;
4. **Electronic submittals:** The code currently references the requirement for hard copy submittals. The amendment will update the hard copy requirements while also identifying the needs for electronic submittals.
5. **Process outline:** An overall outline will provide a quick overview of the subdivision process, eliminating the need to search through several pages of the code.
6. **Preliminary plat:** The major update to this section of the code is the ability to submit a preliminary plat without preliminary construction drawings, allowing staff to begin scheduling necessary public meetings. While preliminary construction drawings will no longer be required, final construction drawings will need to be submitted within three weeks of applying for the preliminary plat. This will allow staff proper time to review the documents prior to the Planning and Zoning Commission hearing; ensuring that any issues or modifications are addressed prior to the hearing.

7. **Ten-lot subdivision:** Currently, the code identifies a subdivision as the division of land into 4 or more parcels; thus requiring the need to complete the full subdivision process. However, state statute allows a jurisdiction to process subdivision containing ten or fewer lots without the need to obtain preliminary plat approval. Therefore, within this amendment, staff is proposing to add provisions for a ten-lot subdivision, which merely requires the need to submit a final plat for approval by City Council.
8. **Final plat:** The code currently requires that a final plat be reviewed by the Planning and Zoning Commission and approved by City Council. The proposed amendment will eliminate the need for the final plat to be reviewed by the Planning and Zoning Commission, only requiring the final plat to be approved by City Council. This process is similar to other jurisdictions within Yuma County and throughout the state.
9. **Mylar submittal:** Currently the code requires that final plats, ready for recording, be submitted on three copies of mylar; one copy for the Yuma County Recorder's Officer, one copy for the City, and one copy for the designer. Many designers have requested to forgo their mylar copy in exchange for a digital copy of the recorded plat. Additionally, due to cost and lack of storage space, the City would like to also eliminate the need for a mylar copy to be retained. With significant advancements in digital scanning, the City also desires to merely retain a digital copy of the recorded plat.

Public outreach was a major component throughout this process, from beginning to end. During the initial drafting of the update, staff met with several local designers to seek input and suggestions on how to improve the overall subdivision process. Then, once the final draft was complete, staff met with both designers and developers to review the proposed text amendment. Overall, the feedback was positive; all were excited to see a streamlined process and were appreciative of the opportunity to review and provide feedback of the proposed amendment.

1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?

N/A

2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?

Yes. The amendment fits the overall purpose and intent of the zoning ordinance.

3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?

No. The proposed amendment will merely update the application process required of a subdivision.

4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?

Yes. The proposed amendment will update the process for a subdivision and will reference updated standards as it relates to right-of-way widths.

5. What are the potential impacts of the proposed amendment?

No negative impacts have been identified with the proposed text amendment.

Potential positive impacts include:

- Quicker review time for final plat
- Encourage redevelopment of larger lots by allowing developers to take advantage of the ten-lot subdivision process

6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?
Yes.

7. Does the proposed amendment conform to prior City Council actions regarding this issue?
Yes.

Public Comments Received: None Received.

External Agency Comments: None Received.

Neighborhood Meeting No Meeting Required.
Comments:

Proposed conditions delivered to applicant on: N/A

Final staff report delivered to applicant on: N/A

Attachments:

A	B
Draft Text	Agency Notification

Prepared By: *Alyssa Linville*

Date: September 29, 2022

Alyssa Linville,
Assistant Director of
Community Planning

Alyssa.Linville@yumaaz.gov (928)373-5000, ext. 3037

ATTACHMENT A
DRAFT TEXT

Yuma City Code, Title 15, Chapter 153 is amended to insert the following bolded text and delete the strikethrough text:

§ 153-02 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AGREED SCHEDULE. A time schedule agreed upon by the subdivider and the Planning Commission for installation of required public improvements, and the sequence in which each will be installed.

ALLEY. A minor public right-of-way used primarily for vehicular access to the rear or side of properties otherwise abutting on a street.

ASSURANCE OF COMPLETION. A contract secured by a bond in an amount and with surety satisfactory to the City Engineer, guaranteeing completion of public improvements which are shown on the subdivision preliminary plan.

BOARD OF SUPERVISORS. Chief legislative body of the County of Yuma.

BUILDING SETBACK LINE. The line indicating the minimum horizontal distance between the street **right-of-way line** and buildings or any projection thereof, other than steps, eaves, or overhangs.

CITY. The City of Yuma, being in Yuma County, State of Arizona.

CITY COUNCIL. The chief legislative body of the City of Yuma.

CITY ENGINEER. **The City Engineer of the City of Yuma or their designee for oversight of a given functional role or project.**

COUNTY. County of Yuma, State of Arizona.

~~*CROSSWALK WAY.* A public right of way used primarily for pedestrian travel through or across any portion of a block.~~

CUL-DE-SAC. A short, minor street having but one end open for motor traffic; the other being terminated by a vehicular turn-a-round.

~~*DEPARTMENT OF COMMUNITY DEVELOPMENT.* The Department of Community Development of the City of Yuma, Arizona.~~

DEPARTMENT OF BUILDING SAFETY. **The Department of Building Safety of the City of Yuma, Arizona.**

DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES. **The Department of Planning and Neighborhood Services of the City of Yuma, Arizona.**

EASEMENT. A grant by a property owner of the use, for a specific purpose or purposes, of a designated strip of land to the general public, a corporation, or other individuals.

GENERAL PLAN. The comprehensive, long-range general plan for the development of the City of Yuma consisting of statements of community goals and development policies, including maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals.

LOT. A portion of a subdivision intended as a unit for transfer of ownership or for development or both, and having frontage on a dedicated street. In determining the area and dimensions of a lot, no part of the right-of-way of a street or crosswalk may be included.

LOT FRONTAGE. The front dimension of a lot measured along the street right-of-way.

LOT WIDTH. The width of the lots at the building line measured parallel to the street right-of-way line.

MAJOR STREET PLAN OR OFFICIAL MAP. A part of the master plan showing the location and dimensions of principal thoroughfares (land shown in parks along such thoroughfares is not deemed part of the street right-of-way).

MASTER PLAN. A comprehensive subdivision development or neighborhood plan consisting of statements of neighborhood goals and development policies, including maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals to guide subdivision design and platting. A *MASTER PLAN* shall consist of not less than 80 acres of land.

OFFICIAL MAP. The map established by the City Council as provided by law, showing the streets theretofore existing and established by law as public streets and any amendments thereto adopted by the City Council, as appropriate, or additions thereto resulting from approval of subdivision plats and the subsequent recording of such approved plats.

PLANNING AND ZONING COMMISSION. Planning and Zoning Commission of the City of Yuma.

PLAT OF SUBDIVISION. A map showing the division of any tract of land into two or more parcels, and prepared for the purpose of recording.

PROTECTIVE COVENANT. A restriction on the use of private property within a subdivision for the purpose of providing mutual protection against undesirable aspects of development. Protective covenants regulating the use of land represent an express agreement between the subdivider and the lot purchasers.

PUBLIC IMPROVEMENTS. Any of the following: roadway pavement **section**, curbs, gutters, sidewalks, crosswalks, water mains, sanitary **sewer**, and storm **sewers drains, landscaping, retention basins**, and other appurtenant construction as related to the subdivision **preliminary** plan.

RIGHT-OF-WAY. The entire strip of land lying between the property lines of a street or thoroughfare, alley, ~~crosswalkway~~, or easement.

ROADWAY. The portion of a street available for vehicular traffic between curbs, or the improved portion within the right-of-way.

RULES OF PROCEDURE. Regulations adopted by the Planning **and Zoning** Commission and the City Council for the submission and approval of subdivision plats.

SIDEWALKS. The portion of a street or ~~cross~~walkway, paved or otherwise surfaced, intended for pedestrian use only.

STREET. A right-of-way designed for vehicular and pedestrian traffic, regardless of its designation by name, such as street, thoroughfare, avenue, land, place or the like.

STREET, ACCESS OR FRONTAL. A street running parallel to and adjacent to or in the immediate vicinity of a major street or highway and which has as its purpose the relief of such major street from the local service of abutting properties.

STREET ARTERIAL. A street of great continuity, existing or planned which serves or is intended to serve foreign and local traffic, and which is designated on the major street plan to identify those streets comprising the basic structure of the street system of the city and surrounding area. Arterials are only those streets designated on the master street plan, including additions or corrections thereto.

STREET, COLLECTOR. A street designed to serve as an important trafficway for a neighborhood, or as a feeder to an arterial street. ~~The determination of such street classification is any specific instance shall rest for the Planning Commission.~~

STREET, LOCAL. A street of limited continuity which serves or is intended to serve the local needs of a neighborhood.

STREET STANDARDS. City of Yuma standard specifications as adopted or amended.

SUBDIVIDER. Any person, firm or corporation acting as a unit, or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision as defined herein.

SUBDIVISION. A division of land into two or more lots, tracts or parcels for the purpose of financing, sale or lease, whether immediate or future, except for any division of land which qualifies as a lot split as specified in § 153-18. **SUBDIVISION** shall include any condominium, cooperative, community apartment, townhouse, or similar project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit thereon, and further indicating the building(s) or the manner in which the building(s) or airspace above the property shown on the plat is to be recorded.

SUBDIVISION PRELIMINARY PLAT. A drawing showing a proposed subdivision of land together with the public improvements which are to be installed therein. Such a drawing is not recordable.

TRACT. A defined area of land regardless of size.

WALKWAY. A public right-of-way used primarily for pedestrian travel through or across any portion of a block.

ZONING. Regulation by districts of the height, area, and use of buildings; use of land and density of population.

§ 153-03 General Principles of Acceptability

(A) *Master plan.*

- (1) Streets shall conform substantially to the general plan adopted by the city and any revisions or amendments thereof. Whenever a tract to be subdivided includes any part of a street indicated as an arterial street on the major street plan of the general plan, such part of such street shall be dedicated by the subdivider.
- (2) Where frontal or access roads are deemed necessary, additional right-of-way shall be 40 feet on either side of the arterial street.

(B) *Public open spaces and sites.* Where, as indicated by the master plan, a proposed subdivision contains, wholly or in part, a proposed public open space or a proposed site for a public building, such sites shall be reserved unless the concerned authority states it has no intention of development in the area. The Planning **and Zoning Commission** will immediately notify the concerned authority.

(C) *Neighborhood plan.* If a tentative plan has been approved by the Planning **and Zoning Commission** for the neighborhood of the proposed subdivision, the street system of the latter shall conform substantially thereto.

(D) *Unsubdivided portion of tract.* The Planning **and Zoning Commission** may require a sketch of the tentative future street system beyond the limits of the tract adjacent to the land area presently being subdivided.

(E) *Provision for future subdivision.* If a tract is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged to allow the opening of the future streets and logical further subdivision.

(F) *Reserved strips prohibited.* There shall be no “reserved” strips controlling access to land dedicated or intended to be dedicated to public use.

§ 153-04 Streets

(A) *Circulation.*

- (1) The street pattern shall provide ease of circulation within the subdivision as well as convenient access to adjoining streets or unsubdivided land, as may be required by the ~~Planning Commission~~ **City Engineer**.
- (2) Local residential streets should be so planned as to discourage their use by non-local traffic. Where a street will eventually be extended beyond the subdivision but is temporarily dead-ended, an interim turn-around may be required.

(B) *Arterial streets.* If a new subdivision involves frontage on an arterial street, as defined herein, the street layout should be planned to avoid, as far as possible, any private residential driveways from having direct access to such by providing access or frontal streets.

(C) *Existing streets.* Existing street (constructed or recorded) in adjoining territory shall be continued at equal or greater width and in similar alignment by streets proposed in the subdivision, unless variations are approved by the ~~Planning Commission~~ **City Engineer**.

(D) *Cul-de-sacs.* Cul-de-sacs shall not be longer than 600 feet, unless necessitated by topography or other circumstances beyond the subdividers control.

(E) *Half-streets.* No half-streets will ~~hereinafter~~ be accepted. Where there exists a dedicated or platted half-street adjacent to the tract to be subdivided, the other half, being a minimum width to meet this chapter, shall be ~~plotted~~ **platted**.

(F) *Stub streets.* Where a subdivision adjoins unsubdivided land, stub streets shall be provided at locations as determined by the ~~Planning Commission~~ **City Engineer** to ensure future access and traffic circulation.

(G) *Intersections.* All street intersections shall be at right angles. Where, because of topographic or other reasons, an intersection cannot be at right angles, such intersection shall be designed to insure safety.

(H) *Easements.* Easements for slopes and utilities shall be dedicated ~~to the public~~ wherever necessary as required by the City Engineer. ~~Said~~ Easements shall be at least eight feet wide across the rear or front of all lots, except that a utility easement adjacent to unsubdivided lands shall be at least ten feet wide. In addition, easements may be required at other suitable locations **by the City Engineer**.

(I) *Dimensional standards.*

- (1) *Minimum width.* The street right-of-way and roadway width shall not be less than the minimum width shown in the ~~following table:~~ **latest adoption of the City of Yuma Construction Standards Detail Drawings and the Transportation Element of the General Plan. Additional right-of-way or easements may be required for utilities, slope rights, drainage facilities or irrigation facilities.**

Type of Street	Minimum Right-of-Way Width	Minimum Roadway Width
Collector; residential	60'	44'
Collector; high volume, midsection, or nonresidential	80'	48'
Local; residential [*]	50'	40'
Local; less than 1,500 ft. in length [*]	50'	38'
Access or frontal ^{**}	40'	32'
Alley	20'	20'
Cul-de-sac; residential	50' (radius)	42' (radius)
Cul-de-sac; nonresidential	60' (radius)	50' (radius)
Arterial ^{**}	100'	68' (plus median)

<p>General note: Additional right of way may be required for drainage, utilities, slope rights, or irrigation facilities.</p> <p>Streets serving multi family/commercial land uses shall have a 40 foot roadway width.</p> <p>In new residential developments a frontage/access street is normally required for lots fronting on arterial streets.</p>

(2) *Alignment; minimum standards.*

(a) ~~Two copies~~ **One electronic copy** of the complete plans and profiles for street and alley improvements shall be submitted for approval of the City Engineer prior to approval of the final plat by ~~the Planning Commission~~ **City Council**.

(b) Vertical curves:

1. Arterial streets: As determined by the City Engineer.
2. Collector, local streets: Minimum length 100 feet, except in cases approved by the City Engineer.

(c) Horizontal curves:

1. Arterials, access and frontal streets: 500 feet.
2. Collector streets: 200 feet.
3. Local streets: 100 feet.
4. Alleys: Laid out to provide turning radius at alley intersection.

(3) *Reserved curve.* Unless approved by the City Engineer, all streets shall have a tangent of 100 feet between reserve curves.

(4) ~~Curb radii~~ **Corners.** At the intersection of two streets, property line corners shall be ~~rounded by an arc of 20 foot radius~~ **chamfered by a corner triangle in accordance with the currently adopted design and construction standards.** The minimum ~~radii~~ **corner triangle size** shall be increased when the smallest angle of intersection is less than 90 degrees, or in any case where the City Engineer considers an increase necessary.

§ 153-05 Blocks

(A) Length of residential blocks shall not be more than 1,000 feet long unless approved by the Planning **and Zoning** Commission. ~~Blocks longer than 800 feet in length shall have a crosswalkway near the center of the block when required as necessary by the Commission.~~

(B) Irregular shaped blocks (including superblocs) indented by cul-de-sacs containing interior parks or playgrounds and adequate parking space, will be acceptable when properly designed and covered by agreements as to maintenance of such park areas.

(C) Orientation on arterials: If frontage on an arterial street is involved, the long dimension of the block shall preferably front thereon by means of an access or frontal road, in order to create as few intersections as possible with the arterials.

(D) Business or industrial: Blocks intended for business or industry shall be of such length and depth as may be considered most suitable for their prospective use by the Planning **and Zoning** Commission, including adequate provision for parking, on-site loading and unloading and buffer, as required by the zoning ordinance.

§ 153-06 Lots.

(A) *Minimum width.* The minimum width of residential lots for all subdivisions shall be 50 feet at the building line and shall have a minimum area as approved by the County Health Unit, unless a larger area is required by the zoning ordinance.

(B) *Length and width ratio.* It is desirable that the length of a lot shall be not more than four times its width.

(C) *Fronting on arterials.* Lots fronting on arterials should be of such depth to accommodate setbacks as set forth in the zoning ordinance.

(D) *Double frontage.* Double frontage lots shall be avoided, except to overcome disadvantages of topography and orientation.

(E) *Side lot lines.* Side lines of lots shall be approximately at right angles or radial to the street line unless, in the opinion of the Planning **and Zoning** Commission, a variation from this rule will give a better street and lot plan.

(F) *Corner lots.* Corner lots shall have sufficient width to permit the maintenance of the side street building line after providing a minimum building width of 30 feet, and a side yard, as required by the zoning ordinance, on the interior side of the lot.

(G) *Building sites.* Every lot must contain a suitable building site, which will provide minimum yard requirements in compliance with the zoning ordinance.

(H) *Street frontage.* Every lot shall front on a public street having a minimum right-of-way of 50 feet for a distance of not less than 35 feet measured along said right-of-way line.

§ 153-~~15~~ **14** Pre-Application Procedure

(A) Informal consideration. While the subdivision is still in the preliminary planning stage, the applicant shall consult with the Department of ~~Community Development~~ **Planning and Neighborhood Services** through a pre-development meeting, for informal review regarding the general plan, the zoning

code, drainage and floodplain regulations, utility regulations, ~~Uniform~~ **International** Building Code, the subdivision code and standards for the design and installation of public improvements.

(B) Upon receiving favorable feedback from the ~~pre-application~~ **pre-development** meeting, the applicant may ~~then~~ proceed to prepare the preliminary plat for submittal.

(C) Under no circumstances shall informal favorable consideration by the Department of ~~Community Development~~ **Planning and Neighborhood Services** be construed as formal approval of any subdivision.

§ 153-15 Submittal Process Outline

(A) Step One: Preliminary Plat

The preliminary plat application shall be reviewed and approved by the Planning and Zoning Commission. The preliminary plat shall include applicable information as indicated in Yuma City Code § 153-31(A).

(B) Step Two: Improvement Plans

- (1) A complete set of final improvement plans shall be submitted with the preliminary plat application, or within 3 weeks of submitting the preliminary plat application. Improvement plans shall include applicable information as indicated in Yuma City Code §§ 153-47(B), 153-47(C), and 153-47(D).**
- (2) Three sets of final improvement plans, and supplementary materials as specified, shall be submitted to the Department of Planning and Neighborhood Services. If plans are submitted electronically, there shall be no need to provide three hard copy sets.**
- (3) If final improvement plans are not submitted in a timely manner, review and approval of the preliminary plat to the Planning and Zoning Commission may be continued to an appropriate hearing date.**
- (4) For phased development projects, final improvement plans for a particular phase must be approved prior to the submittal of a final plat application.**

(C) Step Three: Final Plat

The final plat application shall be reviewed and approved by the City Council.

§ 153-16 Preliminary Plat Process

(A) The applicant shall prepare a preliminary plat ~~together with other supplemental material as indicated in § 153-31, Preliminary Plat and Plans Submittal Requirements~~ that includes all applicable information required in Yuma City Code §§ 153-31(A) and 153-47.

(B) ~~Five~~**Three** sets of the preliminary plat, ~~including four blue line copies and~~ or one electronic copy of the preliminary plat, and supplementary material as specified, shall be submitted to the Department of ~~Community Development~~ **Planning and Neighborhood Services**. **One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.**

(C) At the time of submittal of all required preliminary plat and necessary supplemental materials to the Department of ~~Community Development~~ **Planning and Neighborhood Services**, a public hearing date with the Planning and Zoning Commission shall be scheduled in accordance with the Case Review Hearing Deadlines calendar for the year. Generally, public hearings with the Planning and Zoning Commission occur within 60 days of application submittal. At the public hearing, the Planning and Zoning Commission shall express its approval or disapproval of the proposed preliminary plat. The Planning and Zoning Commission shall state the conditions of such approval, if any, or if disapproved, shall express the reasons for the disapproval.

~~(D) The action of the Planning and Zoning Commission shall be noted on two copies of the preliminary plat, reference and attached to any conditions established by the Commission. Once copy shall be returned to the applicant, and the other copy retained by the Department of Community Development.~~

~~(E)~~ **(D)** Conditional approval of a preliminary plat shall not constitute approval of the final plat. Rather, **it conditional approval** shall be deemed an expression of approval to the subdivision layout, road alignments and number of lots submitted on the preliminary plat as a guide to the preparation of the final plat. The final plat shall be processed in accordance with the requirements of **Yuma City Code §§ 153-17, 153-45, 153-46, 153-47, 153-50, and 153-51** of this code.

(E) The recording of a phase of the preliminary plat automatically extends the approval of the preliminary plat for an additional three years from the date of recording. The maximum time period a preliminary plat may be approved without a final plat submittal is six years.

~~§ 153-17 Procedure for Approval of Final Plat.~~

~~(A) The final plat shall be prepared as specified in §§ 153-45 through 153-51 and shall conform substantially to the preliminary plat as approved. If desired by the subdivider, the final plat may be submitted in portions or phases, which include those lands that will be developed immediately, provided that such portion or phase conforms to all subdivision requirements and conditions of preliminary plat approval.~~

~~(B) The final plat shall be submitted to the Department of Community Development within three years of the approval date of the preliminary plat; otherwise, such preliminary plat shall automatically expire and be come null and void. An extension of time applied for prior to the expiration date of a preliminary plat and granted by the Planning and Zoning Commission shall extend such deadline. The recording of a phase of the preliminary plat automatically extends the approval of the preliminary plat for three years from the final plat approval of the phase. However, the maximum time period a preliminary plat may be approved without a final plat submittal is six years.~~

~~§ 153-18 Procedure for Approval of Lot Split.~~

(A) Any division of land into three or fewer parts in which no right-of-way dedication, utility extension or other off-site public improvement is involved may be processed as a lot split subject to approval by the City Planning Director and City Engineer.

(B) Any proposed lot split shall be submitted to the **Community Planning and Zoning** Division to determine compliance with applicable platting, subdividing and zoning regulations. The **City Planning Director** or **City Engineer** may require the submittal of any additional information as is pertinent to make this determination.

(C) The final plat shall be prepared by an Arizona registered surveyor on a sheet suitable for recording, or on polyester or linen or a copy reproduced on polyester by a photographic silver imaging process or other method that assures archival quality. Required signatures shall be original signature, not copies, and shall include provisions for signatures by the City Planning Director and City Engineer. The plat must be 24" x 36" or other size as required by the Yuma County Recorder. All drawing, printing, and signatures shall be directly applied to the sheet to be recorded. The use of nonpermanent inks, press-on adhesive letters, films, or tapes is prohibited. The plat shall further include items specified in §§ 153-47 and 153-48. **One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.**

§ 153-19 Procedure for Approval of a Ten Lot Subdivision.

(A) **A division of land into ten or fewer parts may be processed as a subdivision which does not require the need for a preliminary plat approval. A ten lot or less subdivision shall follow the final plat review process as specified in § 153-46 and will be subject to approval by City Council.**

(B) **In accordance with state statute, A.R.S. § 9-463.01, the City Engineer may waive or reduce infrastructure standards or requirements except for improved dust-controlled access and minimum drainage improvements.**

§ ~~153-19~~ 153-20 Optional Commercial and Industrial Master Plat Process

(A) *Purpose.* The commercial or industrial subdivision master plat process establishes an optional procedure within the city's subdivision plat process for subsequent divisions of a commercial or industrial master plat into smaller lots or tracts. A commercial or industrial master plat shall comply with all applicable city, state and federal development standards in effect at the time of development and the plat shall comply with the purpose and intent of the city's subdivision regulations.

(B) This procedure can only be followed if:

- (1) The commercial or industrial subdivision master plat has completed preliminary and final plat approval per Chapter 153 of the City of Yuma Code of Ordinances;
- (2) No further right-of-way dedication, utility extension or other off-site public improvement is involved;
- (3) Infrastructure, grading, and all site remediation and improvements are completed prior to the division of the master plat into subsequent lots or tracts.

(C) Subsequent divisions of the master plat shall be processed in accordance with the procedures specified within § 153-18 Procedure for Approval of Lot Split. Minimum lot size is determined by the requirements of the zoning district.

§ ~~153-20~~ 153-21 Filing Fee

Each subdivision as defined herein shall be accompanied by a completed application form as provided by the City of Yuma **Community** Planning Division, and a nonreturnable filing fee in accordance with the fee schedule adopted by City of Yuma Ordinance No. 1943, and successors.

§ 153-31 Preliminary Plat and Plans Submittal Requirements.

(A) *Preliminary plat information:*

- (1) Plat scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on the plat;
- (2) Plat may be submitted on several sheets and accompanied by an index sheet showing entire subdivision;
- (3) Subdivision name, names and addresses of owner and developer;
- (4) Location by section, township, range, county, state;
- (5) Plat signed and sealed by a registered land surveyor;
- (6) North arrow;
- (7) Subdivision boundary shown as a heavy, dark, solid line with accurate distances and bearings to primary control points;
- (8) Location, width and status (i.e., fee title, easement, county declaration, etc.) of all streets, alleys and other rights-of-way within and adjacent to the plat;
- (9) Names of streets within (existing and proposed) and 150 feet outside of the plat boundaries;
- (10) Bearings and distances to the nearest established section, or patent corners or other official monuments;
- (11) Federal Emergency Management Agency flood zone designations shall be clearly indicated or noted on the plat;
- (12) Lengths of all arc radii;
- (13) All existing easements or rights-of-way provided for public services or utilities, canals, or drainage ditches including purposes and any limitations of such easements. Also show and identify all other geophysical features within and 150 feet outside the plat boundaries;
- (14) Proposed easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (15) Lot lines (existing and proposed) with dimensions to the nearest foot and bearings;

(16) Building setback lines, shown graphically along all streets with dimensions;

(17) Square footage or acreage of each resulting lot;

~~(17)~~ (18) All access points (vehicular and pedestrian) located within 150 feet of the proposed subdivision including their location, name, width, title status (i.e., easement, fee title) and recording information, if applicable;

~~(18)~~ (19) Names and property lines of adjacent subdivision lots, and unsubdivided lands, shown with lightly dashed lines. Unsubdivided lands shall have reference to Yuma County Assessor's Parcel Numbers. Note locations and uses of all parcels or lots with non-residential uses;

~~(19)~~ (20) Accurate description of all monument or marker locations used on the plat;

~~(20)~~ (21) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in the subdivision, including private streets, if any;

~~(21)~~ (22) Retention designations and volumes as required, if applicable. Deed restrictions to be recorded on subdivision plat with identified stormwater storage requirements;

~~(22)~~ (23) Clearly identify or note zoning district boundaries and designations on the property and within 150 feet outside the plat boundary;

~~(23)~~ (24) Draft restrictive covenants applying to lots in the subdivision;

~~(24)~~ (25) Show USPS approved cluster box unit mailbox locations.

(a) Coordinate with the USPS for locations of cluster box unit mailboxes,

(b) Provide easement(s) and/or fee title dedication to the City of Yuma on the plat for the location(s) of the cluster box unit mailboxes,

(c) The cluster box unit mailboxes and supporting structures shall be located so that they do not create a traffic hazard, sight hinderence or other safety hazard per the American Association of State Highway and Transportation Officials' (AASHTO's) "Intersection Sight Distance" methodology, as presented in the most current revision adopted by the State of Arizona of "A Policy on Geometric Design of Highways and Streets".

~~(25)~~ (26) Two full street access points shall be shown for the proposed development. Where such access cannot be provided due to existing development or land-locked property, provisions may be added to conditions for subdivision approval, which improve accessibility or reduce fire hazards through sprinklered structures and/or other solutions.

~~(B) Preliminary plat paving, grading and drainage plan information:~~

~~(1) Subdivision name; scale of 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet;~~

- ~~(2) North arrow;~~
- ~~(3) Plan sealed, signed and dated by a registered engineer;~~
- ~~(4) Proposed subdivision boundary, drawn in a solid heavy line;~~
- ~~(5) Preliminary stormwater drainage report with plan;~~
- ~~(6) Street locations and overall layout, including street widths, street lengths, street names, alleys and typical and unusual cross sections;~~
- ~~(7) Stormwater management features such as catch basins, storm drains, culverts, retention basins (historical flows), detention basins, lift stations and drainpipes with corresponding invert elevations to city datum control;~~
- ~~(8) Irrigation canals, drainage ditches, above ground infrastructure on street rights-of-way and other geophysical features shall be clearly indicated or noted on the plat;~~
- ~~(9) General finish grade information.~~

~~(C) Preliminary plat water, sewer and landscaping plan information:~~

- ~~(1) Subdivision name; scale of 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet;~~
- ~~(2) North arrow;~~
- ~~(3) Plan sealed, signed and dated by a registered engineer;~~
- ~~(4) Proposed subdivision boundary, drawn in a solid heavy line;~~
- ~~(5) Water pipe sizes, locations, valves, manholes identified;~~
- ~~(6) Sewer pipe grades, sizes, locations, lift stations, manholes identified;~~
- ~~(7) Statement of sewer and water system integration with existing city systems and datum control;~~
- ~~(8) Identify landscaping areas;~~
- ~~(9) Irrigation canals, drainage ditches, above ground infrastructure on street rights-of-way and other geophysical features shall be clearly indicated or noted on the plat (as needed);~~
- ~~(10) Proposed underground utility easements and main line gas or other utility locations.~~

~~(D) Preliminary plat boundary and topography map information:~~

- ~~(1) Subdivision name;~~
- ~~(2) Location including section, township, range, county and state;~~

- ~~(3) Section and corporate lines clearly indicated;~~
- ~~(4) Scale of 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet;~~
- ~~(5) North arrow;~~
- ~~(6) Survey sealed, signed and dated by a registered land surveyor;~~
- ~~(7) Federal Emergency Management Agency flood zone designations shall be clearly indicated or noted on the survey;~~
- ~~(8) Basis of bearings;~~
- ~~(9) Legend (line types, symbols and abbreviations);~~
- ~~(10) Description of city benchmarks and primary control points used;~~
- ~~(11) Proposed subdivision boundary, drawn in a solid heavy line;~~
- ~~(12) Land elevation contours based on city datum within 150 feet of platted area, one foot contour intervals unless otherwise approved by a city development engineer;~~
- ~~(13) Irrigation canals, drainage ditches, above ground infrastructure on street rights of way and other geophysical features shall be clearly indicated or noted on the Boundary and Topography Map.~~

§ 153-46 Final Plat Process.

(A) The final plat shall be prepared as specified in §§ 153-47 and 153-50 and shall conform substantially to the preliminary plat as approved. If desired by the applicant, the plat may be approved and recorded in phases. Each phase is required to conform to all city requirements and conditions of approval of the preliminary plat.

(B) The final plat shall be submitted to the Department of Planning and Neighborhood Services within three years of the approval date of the preliminary plat; otherwise, such preliminary plat shall automatically expire and be null and void. An extension of time applied for prior to the expiration date of a preliminary plat and granted by the Planning and Zoning Commission shall extend such deadline.

~~(B)~~ **(C) Five** ~~Three~~ complete sets ~~(four blue-line and one electronic copies)~~ of the final plat **or one electronic copy**, and other supplementary material required for review, shall be submitted to the Department of ~~Community Development~~ **Planning and Neighborhood Services**. Other final plat supplementary materials shall include:

- (1) Completed application form and staff notes from pre-development meeting;
- (2) Filing fee;

- (3) Environmental transaction screen or equivalent documentation (two copies **or an electronic copy**);
- (4) Engineer's construction cost assessment for determining assurances; ~~and pro-rata fees and credits.~~
- (5) **One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.**

~~(C)~~ **(D)** If the Department of ~~Community Development~~ **Planning and Neighborhood Services** determines that all conditions of approval and city codes are satisfied, then the Department of ~~Community Development~~ **Planning and Neighborhood Services** will forward the final plat to the ~~Planning and Zoning Commission~~ **City Council** for consideration-based on the ~~Planning and Zoning Commission~~ **final plat** application deadline schedule.

§ 153-47 Final Plat Submittal Requirements.

(A) Final plat information:

- (1) Final scale to be shown on plat: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet;
- (2) Plat may be submitted on several sheets and accompanied by an index sheet showing entire subdivision;
- (3) Subdivision name, and unit number, if any;
- (4) Names and addresses of owner and developer; location by section, township, range, county and state;
- (5) Professional land surveyor's certification;
- (6) North arrow;
- (7) Signature lines and dates on plat for: City Department of Community Development, City of Yuma Engineer, Acceptance by Mayor, City Clerk or designee, Health Department where applicable; owner(s) signed and notarized approval of plat and dedications of streets, alleys, easements, and any other public areas;
- (8) Subdivision boundary with accurate distances and bearings to primary control points;
- (9) Location and width of all streets, crosswalks, alleys and other rights-of-way within the plat;
- (10) Names of streets within and adjacent to the plat boundaries as defined in approved preliminary plat;

- (11) Bearings and distances to the nearest established section or patent corners or other official monuments;
- (12) Lengths of all arcs, radii, internal angles, tangent lengths and radial bearings, if necessary;
- (13) All existing easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (14) Proposed easements for right-of-way provided for public services or utilities, including purposes and limitations of such easements;
- (15) Sequentially-numbered lots with accurate dimensions in feet, to the nearest hundredth and bearings and angles for applicable lot lines;
- (16) Accurate description of all monument or marker locations used on the plat;
- (17) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in subdivision, including private streets, if any;
- (18) **Square footage or acreage of each resulting lot;**
- ~~(18)~~ (19) Building setback lines, shown graphically along all streets with dimensions;
- ~~(19)~~ (20) Stormwater retention designations and volumes as required for lots within the subdivision, if applicable (deed restrictions to be recorded on lots with identified stormwater volume storage requirements);
- ~~(20)~~ (21) Any restrictive covenants applying to lots in the subdivision (signed by the owner(s)) and printed on subdivision plat or recorded in the Office of the Recorder;
- ~~(21)~~ (22) Show easement(s) for USPS approved cluster box units; monuments or markers shall be located and in place prior to final approval;
 - (a) The cluster box unit mailboxes must meet the specifications of the United States Postal Service (USPS) with the inscription "US Mail" and "Approved by the Postmaster General" plainly legible and be approved by the local postmaster prior to installation.
- ~~(22)~~ (23) Monuments or markers shall be located and in place prior to final plat acceptance of the subdivision of the city.
- ~~(23)~~ (24) One full street access and a second access (permanent or temporary) including subdivision improvement plans for each phase of the development shall be shown having accessible routes for emergency access personnel and equipment, subject to the approval of the Fire Marshal. Where such access cannot be provided due to existing development or land-locked property, the Planning and Zoning Commission may recommend conditions for

subdivision approval, which improve accessibility or reduce fire hazards through sprinklered structures.

(B) *Final plat boundary and topographic survey map information:*

- (1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;
- (2) Title block including the following information: Subdivision name and unit number, if any;
- (3) Name and address of registered land surveyor;
- (4) Subdivision boundary with accurate distances and bearings to primary control points;
- (5) Location and width of all streets, crosswalks, alleys and other rights-of-way within and adjoining the plat;
- (6) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
- (7) Bearings and distances to the nearest established section or patent corners or other official monuments (street lines or political subdivision boundaries);
- (8) Lengths of all arcs, radii, internal angles, tangent lengths and radial bearings, if necessary;
- (9) All easements, restrictive covenants and right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
- (10) Accurate description of all monument or marker and benchmark locations used on the plat.

(C) *Final plat grading, paving and drainage plan map information:*

- (1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;
- (2) Title block including the following information: Subdivision name and unit number, if any, and professional engineer preparing map information including address and phone;
- (3) Subdivision boundary;
- (4) Location and width of all streets, crosswalks, alleys and other rights-of-way within and adjoining the plat;
- (5) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
- (6) All easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;

- (7) Accurate description of all monument or marker and benchmark locations used on the plat;
 - (8) Monuments or markers to be constructed in accordance with the City of Yuma standard specifications and/or other specifications;
 - (9) Applicable lot lines with accurate dimensions; onsite stormwater retention designations;
 - (10) Boundary and topographic survey information;
 - (11) Street plans with grades and details;
 - (12) Drainage plans and profiles with grades and details;
 - (13) Street lighting locations and details where necessary.
- (D) *Final plat water, sewer, utility and landscaping plan information:*
- (1) Scale: 1 inch equals 10, 20, 30, 40, 50, 60, or 100 feet shown on plat;
 - (2) Title block including the following information: Subdivision name and unit number, if any, and professional engineer preparing map information including address and phone;
 - (3) Subdivision boundary;
 - (4) Names of streets within and adjacent to the plat boundaries as defined in the approved preliminary plat;
 - (5) All existing easements for right-of-way provided for public services or utilities, including purposes and any limitations of such easements;
 - (6) Applicable lot lines with accurate dimensions;
 - (7) Accurate outlines of any areas being dedicated for public use with purposes indicated thereon and any area reserved by deed covenant for common use by all property owners in subdivision, including private streets, if any;
 - (8) Monuments or markers to be constructed in accordance with City of Yuma standard specifications and/or other specifications;
 - (9) Boundary and topographic survey information including benchmarks;
 - (10) Water plans and details;
 - (11) Sewer plans and details;

(12) On-site stormwater retention designations;

(13) Public utilities, including telephone, cable television, electricity or other public utilities and details where necessary;

(14) Landscaping plans including systems for retention and/or detention areas/recreation areas or parks - total linear footage of irrigation lines for landscaping shall be provided by location;

(15) Lighting locations and details where necessary.

§ 153-50 Final Plat Materials and Documents Required.

Upon approval of the final plat by the City Council, the following materials shall be provided to the Department of ~~Community Development~~ **Planning and Neighborhood Services** prior to recordation of the plat:

~~(A) Two review copies of the final plat, complete subdivision improvement plans and profiles for street, water, sewer, stormwater drainage and alley improvements shall be submitted to the Director of Community Development prior to the recordation of the final plat.~~

~~(B) (A) Three~~ **One** reproducible (i.e., mylar) ~~copies~~ **copy** of the final plat, with proper signatures to be distributed to the following upon recordation: **retained by the** County Recorder's Office, ~~City of Yuma Department of Community Development, and applicant.~~ **Digital copies of the recorded final plat will be distributed to the City of Yuma Department of Planning and Neighborhood Services and the applicant. One AutoCAD file of the plat that conforms to the City of Yuma CADD standards shall be submitted electronically.**

~~(C) (B)~~ **(B)** Prior to construction, ~~six sets~~ **a digital copy** of the complete subdivision improvements plans, including street plan and profiles, water, sewer, stormwater drainage and alley improvements shall be submitted to ~~the Director of the Department of Community Development~~ **City Engineering.**

§ 153-51 Assurance of Completion.

Prior to recordation of a final plat, the applicant shall either construct or install required improvements and repair existing streets and other public facilities damaged in the development of the property or execute and file with the Department of ~~Community Development~~ **Planning and Neighborhood Services** an agreement between the applicant and the city. Said agreement shall specify the period within which required improvements and repairs shall be completed and, if the work is not completed within the period specified, it shall provide the city with the ability to complete the work and recover the full cost and expense of all improvements, together with all court costs and attorney fees necessary to collect said amounts from the applicant.

(A) The applicant shall file with the agreement, to assure full and faithful performance thereof, one of the following:

(1) A surety bond executed by a surety company authorized to transact business in the State of Arizona.

- (2) A personal bond co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement.
 - (3) Cash deposit, including certificates of deposit.
 - (4) Letter of credit.
- (B) Such assurance of full and faithful performance shall be in a form approved by the City Attorney and shall be for a sum approved by the City Engineer as sufficient to cover the cost of the improvements and repairs and related engineering and incidental expenses. The amount shall be based on a construction estimate of the work to be completed, prepared by a registered engineer and shall be a minimum of 100% of the uncompleted construction estimate, concurred to by the City Engineer.
- (C) If the applicant fails to carry out the provisions of the agreement, without the written concurrence of the City Engineer and the City Engineer determines that the city will incur costs or expenses to complete these provisions, the City Engineer shall call on the assurance monies and deposit those monies in an account specifically set aside for completion of the requirements. If the amount of the assurance monies, called on by the City Engineer, exceeds the costs and expenses incurred by the city for completion of the required improvements, the City Engineer shall refund the remainder. If the amount of the assurance monies, called on by the City Engineer, proves to be insufficient to satisfy the costs and expenses incurred by the city, the applicant shall be liable to the city to satisfy the full amount of the shortfall, upon demand by the city. Ten percent of the required assurance amount shall be retained pending the city's full acceptance of subdivision improvements by the City Engineer. Release of assurances shall be based on the amount of work remaining to be completed. The city will provide written notification of the subdivision improvements acceptance and cause the release of assurances.

§ 153-75 Administration by City Planning Department.

The provisions of this chapter shall be administered by the Department of ~~Community Development~~ **Planning and Neighborhood Services**, and appeals from any decision of the Planning and Zoning Commission shall go to the City Council. Notice of the appeal shall be given to said Planning and Zoning Commission 30 days preceding any meeting held by the City Council pertaining to said appeal.

ATTACHMENT B AGENCY NOTIFICATION

- Legal Ad Published: The Sun (06/01/2022)
- 34 Commenting/Reviewing Agencies noticed: (06/09/2022)
- Neighborhood Meeting: (N/A)
- Hearing Date: (07/25/2022)
- Comments due: (06/20/2022)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	06/15/2022	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	06/20/2022	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	Yes	06/15/2022	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	06/15/2022	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	Yes	06/14/2022	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	06/22/2022	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

Neighborhood Meeting	Comments Available
NONE REQUIRED.	N/A

PUBLIC COMMENTS RECEIVED: NONE RECEIVED.